

**Paralegal-2@LawOfficesMRN.com**

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**From:** mnevarez@lawofficesmrn.com  
**Sent:** Thursday, April 7, 2022 9:38 AM  
**To:** 'Mary Elizabeth Heard'  
**Cc:** 'Jeanette Jennings'; 'Jennifer Selbig'; 'Melinda Leslie'; 'ECF Notices'; paralegal-2@lawofficesmrn.com; edarnell@darnell-lawfirm.com  
**Subject:** RE: 20-30021-hcm Ch-13 Document Jesus Pineda and Erica Pineda  
**Attachments:** Motion For Extension Of Stay and Imposition Of Stay.pdf; Motion To Expedite Hearing on Motion To Re-impose Stay.pdf

Ms. Heard,

I need to refile the attached Motion For Extension And/Or Imposition Of Automatic Stay Under § 362, as it lacked the certificate of conference on the motion to expedite the hearing. Accordingly, please advise by 4PM if you oppose the attached motion for expedited hearing.

**Michael R. Nevarez**  
**Attorney at Law**

The Nevarez Law Firm, PC  
Attorneys And Counselors At Law  
Mailing Address:  
P.O. Box 12247  
El Paso, TX 79913  
Telephone: (915) 225-2255  
Facsimiles: (915) 845-3405  
Website: <http://www.NevarezLawFirm.com/>

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**From:** mnevarez@lawofficesmrn.com <mnevarez@lawofficesmrn.com>

**Sent:** Friday, February 25, 2022 8:35 AM

**To:** 'Mary Elizabeth Heard' <meheard@heardlawfirm.net>

**Cc:** 'Jeanette Jennings' <jeanette@heardlawfirm.net>; 'Jennifer Selbig' <jennifer@heardlawfirm.net>; 'Melinda Leslie' <melinda@heardlawfirm.net>; 'ECF Notices' <ECF@heardlawfirm.net>; paralegal-2@lawofficesmrn.com; edarnell@darnell-lawfirm.com

**Subject:** RE: 20-30021-hcm Ch-13 Document Jesus Pineda and Erica Pineda

Ms. Heard,

Yes, I am asserting that neither Mr. Pineda nor I received any certified mail, return receipt requested, from you or anyone at Ovation, as was required under the Agreed Order you drafted. Mr. Pineda has indicated he never received the required notice, and I know I didn't sign for it.

As a result of your notice of termination, evolve has filed for relief of the automatic stay.

So, as a meet and confer, I need you to send me the receipts, no later than Monday COB, or I will conclude that I need to move to strike and for sanctions.

I await your reply.

Please consider this as my last attempt to meet and confer.

**Michael R. Nevarez**  
**Attorney at Law**

The Nevarez Law Firm, PC  
Attorneys And Counselors At Law  
Mailing Address:  
P.O. Box 12247  
El Paso, TX 79913  
Telephone: (915) 225-2255  
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**From:** Mary Elizabeth Heard <[meheard@heardlawfirm.net](mailto:meheard@heardlawfirm.net)>

**Sent:** Monday, February 21, 2022 12:48 PM

**To:** [MNevarez@lawofficesmrn.com](mailto:MNevarez@lawofficesmrn.com)

**Cc:** Jeanette Jennings <[jeanette@heardlawfirm.net](mailto:jeanette@heardlawfirm.net)>; Jennifer Selbig <[jennifer@heardlawfirm.net](mailto:jennifer@heardlawfirm.net)>; Melinda Leslie <[melinda@heardlawfirm.net](mailto:melinda@heardlawfirm.net)>; ECF Notices <[ECF@heardlawfirm.net](mailto:ECF@heardlawfirm.net)>; [paralegal-2@lawofficesmrn.com](mailto:paralegal-2@lawofficesmrn.com)

**Subject:** Re: 20-30021-hcm Ch-13 Document Jesus Pineda and Erica Pineda

Ok we always send these certified mail. I'm out of town. My staff is looking for the receipts. I assume you aren't alleging that we didn't send you the letters? That's quite an assertion

Mary Elizabeth Heard

M.E. Heard, Attorney, PLLC

100 NE Loop 410, Ste. 605

San Antonio, Texas 78216

New email: [meheard@heardlawfirm.net](mailto:meheard@heardlawfirm.net)

On Feb 21, 2022, at 14:36, [MNevarez@lawofficesmrn.com](mailto:MNevarez@lawofficesmrn.com) wrote:

Thank you for your response.

You filed the notice of termination alleging my client was in default of the terms of the agreed order, and claiming you sent a notice of default. As a result, evolve filed a motion for relief from stay, as they are a secured lender on the property. See attached.

The problem is that, contrary to your notice of termination alleging my client was in default of the terms of the agreed order, neither my client nor I ever received a notice to cure, which was required to be sent via certified mail, return receipt requested. See attached.

Therefore, you terminated the stay prematurely and without complying with the notice to cure requirements of the agreed order. So, I asked you to call to withdraw the notice of termination. Otherwise, I will have to file a motion to strike and for sanctions, and involve your client in your premature and unfounded notice.

Please advise as to your preference.

**Michael R. Nevarez**  
**Attorney at Law**

The Nevarez Law Firm, PC  
Attorneys And Counselors At Law  
Mailing Address:  
P.O. Box 12247  
El Paso, TX 79913  
Telephone: (915) 225-2255  
Facsimiles: (915) 845-3405  
Website: <http://www.NevarezLawFirm.com/>

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---

**From:** Mary Elizabeth Heard <[meheard@heardlawfirm.net](mailto:meheard@heardlawfirm.net)>

**Sent:** Monday, February 21, 2022 11:50 AM

**To:** [MNevarez@lawofficesmrn.com](mailto:MNevarez@lawofficesmrn.com)

**Cc:** Jeanette Jennings <[jeanette@heardlawfirm.net](mailto:jeanette@heardlawfirm.net)>; Jennifer Selbig <[jennifer@heardlawfirm.net](mailto:jennifer@heardlawfirm.net)>;

Melinda Leslie <[melinda@heardlawfirm.net](mailto:melinda@heardlawfirm.net)>; ECF Notices <[ECF@heardlawfirm.net](mailto:ECF@heardlawfirm.net)>; [paralegal-](#)

[2@lawofficesmrn.com](mailto:2@lawofficesmrn.com)

**Subject:** Re: 20-30021-hcm Ch-13 Document Jesus Pineda and Erica Pineda

Hello I am in Orlando for client meetings.

I'm not understanding what your moving papers are on which you want to confer. I didn't file a lift stay.

The stay terminated over a month ago. My client isn't involved in this case anymore.

Thanks

Mary Elizabeth Heard

M.E. Heard, Attorney, PLLC

100 NE Loop 410, Ste. 605

San Antonio, Texas 78216

New email: [meheard@heardlawfirm.net](mailto:meheard@heardlawfirm.net)

On Feb 21, 2022, at 13:16, [MNevarez@lawofficesmrn.com](mailto:MNevarez@lawofficesmrn.com) wrote:

Ms. Heard,

Please give me a call at your earliest convenience.

Consider this my attempt to meet and confer regarding your Notice Of Termination Of Automatic Stay in the above-referenced matter, and the attached Response to Motion for Relief from Stay.

Thank you.

**Michael R. Nevarez**  
**Attorney at Law**

The Nevarez Law Firm, PC

Attorneys And Counselors At Law

Mailing Address:

P.O. Box 12247

El Paso, TX 79913

Telephone: (915) 225-2255

Facsimiles: (915) 845-3405

Website: <http://www.NevarezLawFirm.com/>

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**From:** Mary Elizabeth Heard <[meheard@heardlawfirm.net](mailto:meheard@heardlawfirm.net)>  
**Sent:** Tuesday, February 1, 2022 12:54 PM  
**To:** [mnevarez@lawofficesmrn.com](mailto:mnevarez@lawofficesmrn.com); Jeanette Jennings <[jeanette@heardlawfirm.net](mailto:jeanette@heardlawfirm.net)>; Jennifer Selbig <[jennifer@heardlawfirm.net](mailto:jennifer@heardlawfirm.net)>  
**Cc:** Melinda Leslie <[melinda@heardlawfirm.net](mailto:melinda@heardlawfirm.net)>; ECF Notices <[ECF@heardlawfirm.net](mailto:ECF@heardlawfirm.net)>; [paralegal-2@lawofficesmrn.com](mailto:paralegal-2@lawofficesmrn.com)  
**Subject:** RE: 20-30021-hcm Ch-13 Document Jesus Pineda and Erica Pineda

Mr. Nevarez:

I'm sorry I missed your email. The stay terminated weeks ago; therefore, my client is no longer involved in this bankruptcy case.

Thank you,

Mary Elizabeth

Mary Elizabeth Heard  
M.E. Heard, Attorney, PLLC  
One International Center  
100 NE Loop 410, Ste. 605  
San Antonio, Texas 78216  
210-572-4925

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**From:** [mnevarez@lawofficesmrn.com](mailto:mnevarez@lawofficesmrn.com) <[mnevarez@lawofficesmrn.com](mailto:mnevarez@lawofficesmrn.com)>  
**Sent:** Monday, January 24, 2022 5:13 PM  
**To:** Mary Elizabeth Heard <[meheard@heardlawfirm.net](mailto:meheard@heardlawfirm.net)>

**Cc:** Melinda Leslie <[melinda@heardlawfirm.net](mailto:melinda@heardlawfirm.net)>; ECF Notices <[ECF@heardlawfirm.net](mailto:ECF@heardlawfirm.net)>;  
Randy Tipton <[tipton@heardlawfirm.net](mailto:tipton@heardlawfirm.net)>; [paralegal-2@lawofficesmrn.com](mailto:paralegal-2@lawofficesmrn.com)  
**Subject:** FW: 20-30021-hcm Ch-13 Document Jesus Pineda and Erica Pineda

Ms. Heard,

Please give me a call regarding your Notice of Termination.

Thank you.

**Michael R. Nevarez**  
**Attorney at Law**

The Nevarez Law Firm, PC  
Attorneys And Counselors At Law  
Mailing Address:  
P.O. Box 12247  
El Paso, TX 79913  
Telephone: (915) 225-2255  
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**From:** [txwb\\_systems@txwb.uscourts.gov](mailto:txwb_systems@txwb.uscourts.gov) <[txwb\\_systems@txwb.uscourts.gov](mailto:txwb_systems@txwb.uscourts.gov)>

**Sent:** Wednesday, January 12, 2022 2:48 PM

**To:** [CourtMail@txwb.uscourts.gov](mailto:CourtMail@txwb.uscourts.gov)

**Subject:** 20-30021-hcm Ch-13 Document Jesus Pineda and Erica Pineda

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**U.S. Bankruptcy Court**

**Western District of Texas**

**Notice of Electronic Filing**

The following transaction was received from Mary Elizabeth Heard entered on 1/12/2022 at 3:48 PM CST and filed on 1/12/2022

**Case Name:** Jesus Pineda and Erica Pineda

**Case Number:** [20-30021-hcm](#)

**Document Number:** [172](#)

**Docket Text:**

Notice of Termination of Automatic Stay filed by Mary Elizabeth Heard for Creditor Ovation Services LLC, as Agent for FGMS Holdings LLC. (Heard, Mary) (Related Document(s): [162] Order Regarding (related document(s): [114] Motion for Relief from Stay (30 Day Waiver Language) (14 Day Objection Language) ( Filing Fee: \$ 188.00 ) filed by Mary Elizabeth Heard for Creditor Ovation Services LLC, as Agent for FGMS Holdings LLC (Attachments: # 1 Affidavit # 2 Proposed Order)) (Order entered on 10/6/2021))

The following document(s) are associated with this transaction:

**Document description:**Main Document

**Original filename:**Notice of Termination.pdf

**Electronic document Stamp:**

[STAMP bkecfStamp\_ID=988230274 [Date=1/12/2022] [FileNumber=27491638-0]  
] [913eadcbedc47534e47f1e5f827f4195220b6d30bb06a5b8017d14ea612a7a7ada7  
dcbf533f755c64b2e8811708bcb605ae66b81aa8bf159be6ba18e18d088a7]]

**20-30021-hcm Notice will be electronically mailed to:**

Bradley S Balderrama on behalf of Creditor City Of El Paso  
[Brad.Balderrama@lgbs.com](mailto:Brad.Balderrama@lgbs.com)

James W. Brewer on behalf of Creditor Evolve Federal Credit Union  
[jbrewer@kempsmith.com](mailto:jbrewer@kempsmith.com), [tschoemer@kempsmith.com](mailto:tschoemer@kempsmith.com)

Jeff Carruth on behalf of Creditor Oak Street Funding LLC  
[jcarruth@wkpz.com](mailto:jcarruth@wkpz.com), [jcarruth@aol.com](mailto:jcarruth@aol.com); ATTY CARRUTH@trustesolutions.com

Stuart C. Cox  
[mbeard@ch13elpaso.com](mailto:mbeard@ch13elpaso.com)

Mary Elizabeth Heard on behalf of Creditor Ovation Services LLC, as Agent for FGMS Holdings LLC  
[meheard@heardlawfirm.net](mailto:meheard@heardlawfirm.net), [ecf@heardlawfirm.net](mailto:ecf@heardlawfirm.net); [rtipton@heardlawfirm.net](mailto:rtipton@heardlawfirm.net)

Carlos A. Miranda on behalf of Creditor First Light Federal Credit Union  
[cmiranda@eptxlawyers.com](mailto:cmiranda@eptxlawyers.com), [wendy@eptxlawyers.com](mailto:wendy@eptxlawyers.com)

Candace M Murphy on behalf of Creditor Wells Fargo Bank, N.A.  
[ECFNOTICES@SISSACLEGALGROUP.COM](mailto:ECFNOTICES@SISSACLEGALGROUP.COM), [bankruptcy@creditor-rights.com](mailto:bankruptcy@creditor-rights.com)

Michael R. Nevarez on behalf of Debtor Erica Pineda  
[MNevarez@LawOfficesMRN.com](mailto:MNevarez@LawOfficesMRN.com), [MRN4Bankruptcy@gmail.com](mailto:MRN4Bankruptcy@gmail.com)

Michael R. Nevarez on behalf of Debtor Jesus Pineda  
[MNevarez@LawOfficesMRN.com](mailto:MNevarez@LawOfficesMRN.com), [MRN4Bankruptcy@gmail.com](mailto:MRN4Bankruptcy@gmail.com)

Philip Stuart Traynor on behalf of Creditor Wells Fargo Bank, N.A.  
[bktx@albertellilaw.com](mailto:bktx@albertellilaw.com), [ptraynor@alaw.net](mailto:ptraynor@alaw.net)

Riley Tunnell on behalf of Interested Party Allstate Insurance Company  
[rtunnell@thompsoncoe.com](mailto:rtunnell@thompsoncoe.com)

United States Trustee - EP12  
[USTPRegion07.SN.ECF@usdoj.gov](mailto:USTPRegion07.SN.ECF@usdoj.gov)

**20-30021-hcm Notice will not be electronically mailed to:**